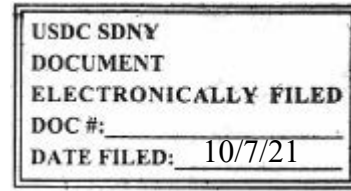


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Colony Capital, Inc.,

Plaintiff,

—v—

James F. Flaherty, III,

Defendant.

21-cv-4645 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On June 29, 2021, Defendant moved to dismiss the complaint, arguing that the dispute was moot because the arbitration that Plaintiff had sought to halt had gone forward. Dkt Nos. 27, 28. That motion was fully briefed as of July 20, 2021, and is pending resolution. Dkt. No. 36. The arbitrator issued an award in Defendant's favor on August 9, 2021. Dkt. No. 49 at 9. Plaintiff on October 1, 2021, filed a motion to vacate that award. Dkt. Nos. 48, 49.

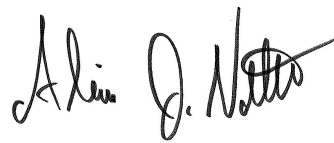
On October 6, 2021, Defendant filed a motion to stay consideration of the motion to vacate pending resolution of its motion to dismiss, arguing that briefing the motion to vacate would be a "wasteful expenditure" of resources if the Court were to grant its motion to dismiss. Dkt. No. 52 at 3. In the alternative, Defendant requested additional time to file an opposition to the motion to vacate.

The Court concludes that there is significant substantive overlap between the two pending motions such that judicial economy favors resolving them simultaneously. The Court therefore DENIES Defendant's motion to stay. The Court additionally GRANTS Defendant's request for an extension. Defendant shall file a response to Plaintiff's motion to vacate by October 27, 2021. Plaintiff shall file a reply by November 5, 2021.

This resolves docket number 52.

SO ORDERED.

Dated: October 7, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written in a cursive style.

ALISON J. NATHAN
United States District Judge